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TAGS: [PGOV](#) [PREL](#) [IS](#) [KPAL](#) [KWBG](#)
SUBJECT: BARAK DEFERS EVACUATION OF HEBRON HOUSE FOLLOWING
HIGH COURT RULING.

Classified By: DCM LUIS G. MORENO FOR REASONS 1.4 (B) and (D)

11. (SBU) Summary: Minister of Defense (MOD) Barak on November 20 balked at forcibly removing nine settler families from a house in Hebron after the High Court of Justice ordered their evacuation, and clashes erupted between the settlers and Israeli forces. Ministry of Defense officials in recent days have said that Israel Defense Forces (IDF) would avoid using force to remove the settlers, and government legal aides announced that the MOD is seeking to extend the court-ordered thirty day evacuation period, suggesting that Barak is trying to negotiate a peaceful resolution to the dispute. Despite ongoing attempts to reach a peaceful resolution, a projected influx of as many as 20,000 Jewish pilgrims to Hebron in the coming days could lead to additional demonstrations and a spike in violence. End Summary.

IDF HOLDS OFF ON HOUSE EVACUATION

12. (SBU) Barak as of November 20 publicly delayed ordering IDF forces to remove settlers from a house in Hebron under disputed ownership, and senior defense officials on the same day publicly said that the IDF has 30 days from the court's ruling to carry out the evacuation, indicating that an evacuation may be delayed for weeks. Barak's deferral comes after the High Court of Justice on November 16 denied a petition from settlers living in the house to rescind a previous evacuation notice and ordered them to leave the house within 3 days, according to Israeli press reports. (Note: the original dispute over the house began last year when the settlers took possession without paying the Palestinian owner in full. The High Court last year ruled in favor of the Palestinian man and ordered the settlers to leave the house, which led to the High Court's subsequent ruling on November 16. End Note).

13. (SBU) When IDF forces arrived at the Hebron house on November 20, following the expiration of the three-day deadline, settler youths stoned the soldiers and vandalized nearby Palestinian property in protest. One soldier was injured when a settler threw turpentine in his face and the IDF forces eventually left without evacuating the house. (Comment: it is not clear if the soldiers had been ordered to remove the settlers before arriving at the Hebron house on November 20. End Comment).

BARAK SEEKING PEACEFUL RESOLUTION

14. (SBU) Barak is trying to buy more time to continue negotiations, hoping that there is still a chance to resolve

the dispute peacefully. He traditionally has favored negotiations with settlers over conflict, and on November 20 met with security officials to discuss how to evacuate the house without violence, according to an Israeli press report (comment: Barak currently is also negotiating with settlers from the Migron outpost to voluntarily relocate to the settlement of Adam, which is closer to the major settlement blocs. End Comment). Barak's legal aides on November 19 also said that Israeli authorities have more than 30 days to carry out the evacuation because this deadline only applies to "recently discovered squatters" and not the residents of the Hebron house, who have occupied the house for more than a year, according to an Israeli press report. While the GOI can petition the court to extend the deadline, it can neither force the court to issue an extension, nor can it delay the eviction indefinitely. A spokesman from the Defense Minister's Bureau on November 20 publicly said that defense officials are continuing to negotiate with settler leaders, although IDF officials on November 16 publicly said that the settlers are unlikely to leave the house peacefully.

HEBRON HOUSE A POLITICAL LIGHTNING ROD

15. (SBU) Barak's decision not to immediately evacuate the house in Hebron has prompted other Israeli politicians to take sides in an attempt to score political points. Yair Hirschfeld and Boaz Karni of the Economic Cooperation Foundation told Embassy Officials that Barak eventually will forcibly evacuate the Hebron house, if he is unable to first reach an agreement with the settlers, but that he is waiting

TEL AVIV 00002592 002 OF 002

until the general elections--scheduled for February 2009--draw closer to garner political capital from the decision. Lawmakers from the left-leaning Meretz party on November 20 publicly criticized Barak for not upholding the High Court's ruling, and called on him to evacuate the house. Meanwhile, Minister of Knesset Nissim Ze'ev of the SHAS party on November 18 defended the settler's resistance by moving into the disputed house and vowing to stand with them against any attempted IDF evacuation, according to an Israeli press report.

POTENTIAL FOR FURTHER VIOLENCE

16. (SBU) The house in Hebron appears likely to become a flashpoint for confrontation as upwards of 20,000 Jewish pilgrims are projected to travel to Hebron in the coming days to commemorate the death of the Matriarch Sarah. Settler opposition to an evacuation in recent days has taken on symbolic significance for many of these pilgrims, according to Israeli press reports, because the corresponding Torah portion commemorating Sarah's death recounts the story of Abraham purchasing a cave near Hebron for Sarah's burial. The influx of pilgrims probably will lead to larger demonstrations, which could spark further violence against Israeli authorities and nearby Palestinian communities.

COMMENT

7 (C) Barak's decision to delay this evacuation potentially leaves him open to criticism from pro-Palestinian groups that, in the past, have claimed that Israel abides by a double standard when evacuating Palestinians from their homes vice Israelis. Critics are likely to cite the eviction of a Palestinian family in September 2008 from their home in East Jerusalem, after Israeli courts ruled that the land belonged to a Jewish family.

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